

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

U.S. ATTORNEY'S OFFICE U.S. DIST. COURT  
AT ALEXANDRIA, VA  
FILED

JUL 10 2006

JOHN F. MORRISON, CLERK  
RY. *J. Clerk*  
DEPUTY CLERK

JAMES G. DONATHAN JR., )  
Plaintiff, ) Case No.1:05CV00077  
v. )  
JO ANNE B. BARNHART, ) FINAL JUDGMENT  
COMMISSIONER OF )  
SOCIAL SECURITY, ) By: James P. Jones  
Defendant. ) Chief United States Dist

For the reasons set forth in the report and recommendation of the magistrate judge, no objections having been filed thereto, it is **ADJUDGED AND ORDERED** as follows:

1. The magistrate judge's report and recommendation are **accepted**;
2. The motions for summary judgment by the plaintiff and the Commissioner of Social Security ("Commissioner") are **denied**;
3. The case is **remanded** to the Commissioner for further development pursuant to sentence four of 42 U.S.C. § 405(g); and
4. The clerk is directed to close the case.

ENTER: July 10, 2006

  
John D. Jones